

BRENTWOOD BOARD OF SELECTMEN  
MINUTES OF 4/7/09 MEETING

Convened: 6:30 p.m.

Present: Jeffrey Bryan  
Andrew Artimovich  
George Waldron  
Jane Byrne  
David Menter

The Board met and reviewed payroll, accounts payable, and signed the register.

Jonathan Ellis was in to present the weekly Treasurer's report.

The Selectmen reviewed the minutes of the 3/31/09 meeting. Artimovich made a motion to approve the minutes as written. Motion was seconded by Byrne; all voted in favor.

The Board reviewed the notes:

- Menter made a motion, seconded by Waldron, to pay \$2,142 to Jim Michaud from Encumbered Funds for data collection through March 2009. All voted in favor.
- The Board approved the closure of the Selectmen's Office from 9am-11am on Friday, 4/10.
- The Town's annual audit is scheduled for the week of June 1, 2009.
- In May, Julie Stevens will be working with the Financial Director of Rye to create a new chart of accounts. Once this is complete she will work towards learning how to prepare the financial statements currently prepared by Plodzik. Both of these issues were found to be deficiencies following the audit that was prepared in 2008.
- The Selectmen approved a letter that will be sent to Town Counsel in response to correspondence received from Daniel Musso's attorney, Michael Chubrich.
- The Board would like to go out to bid for oil and propane. They requested that Julie once again obtain usage estimates from the various departments.
- The Selectmen reviewed and approved a draft of the bid request for a new utility truck for the Fire Department prepared by Chief Lemoine.
- The Selectmen read a letter from Norman Garside asking that the lease be renewed for the former Beyea parcel for use as a hay field. Byrne made a motion to permit Garside to do so. Menter seconded the motion; all voted in favor.

The Board signed the following documents:

- Byrne made a motion to approve an abatement for Marjorie Haase's property at 126 Lake Road upon the recommendation of Jim Michaud, Town Assessor. Menter seconded the motion; all voted in favor.
- Land Use Change Tax documents for 26 Idyllwood Drive.

Sally Soule of the DES Watershed Assistance Section was in to discuss the Exeter River Geomorphic Assessment and Watershed-based Plan. DES partnered with ERLAC (Exeter River Local Advisory Committee) in the study of four watersheds: Fordway Brook; Upper Exeter River; Dudley-Bloody Brook and Lower Exeter River in order to assess fluvial geomorphic and habitat conditions and develop a restoration and protection

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plan. As a result they have identified 21 high priority restoration and protection projects which are identified in the Plan which may be accessed at:

[http://des.nh.gov/organization/divisions/water/wmb/was/watershed\\_based\\_plans.htm](http://des.nh.gov/organization/divisions/water/wmb/was/watershed_based_plans.htm)

Their next goal is to do the same type of study of the Middle Exeter River, some of which flows through Brentwood. In order to get a grant for this project they would need a local match. The match does not need to be a direct match but can be a related project within that area, such as the Crawley Falls Bridge Restoration/Replacement project. They would need a \$24,000 project match. The Board explained that between the State Bridge Aid Program and FEMA funds from the flooding a couple years ago, the Town is not planning to contribute \$24,000 in funding for the project. They did, however, mention the possibility of using funds for the South Road Bridge project that is planned for 2009. Sally will work with Road Agent Wayne Robinson in getting information for this project. Byrne inquired if they considered the impact of dams in their study. Sally explained that they do note the physical impact of dams on the rivers and that there are grants available for the removal of dams. The DES can do a feasibility study of the removal of particular dams. Selectman Byrne indicated that she is not advocating for the removal of dams.

The Selectmen signed the following building permits:

- A permit from the Town for the installation of a generator at the BCC.
- The renewal of a permit for David LaPointe of Shannon Way for the construction of a room in the basement.

Kathy St. Hilaire was in on behalf of the Recreation Commission to ask for the Selectmen's approval to hire a temporary employee to work the concession stand at the BRC fields on a trial basis. They have tried using volunteers but that route just doesn't seem to work. The hired individual would get paid through the Town's payroll but the Town would be reimbursed for wages, fica, and medicare from the Recreation Revolving Account at the end of the season. The Commission anticipates the individual will work 15-20 hours/week at minimum wage. The schedule will be set by the Recreation Director. A motion was made by Artimovich and seconded by Waldron to allow the Recreation Commission to hire a temporary employee on a trial basis and have the wages and related expenses be reimbursed by the Recreation Revolving Fund. All voted in favor. Menter then asked St. Hilaire about the Director's schedule and if there will be any adverse affects of her not working any evening hours. St. Hilaire explained that there never seems to be much recreation traffic in the evening particularly now that all forms are available on line. Menter asked about individuals purchasing recreation related tickets (i.e. Water Country). St. Hilaire explained that the Town Clerk/Tax Collector's office has been kind enough to collect money for those.

Byrne presented the Board members with a draft letter to be sent to John Ricci thanking him for his hard work on the Fire Station project. All agreed that it sounded good. Byrne will forward the letter to Stevens to print on letterhead.

Menter requested that the notes be presented as they used to with a section for old business and one for new business.

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Richard Chamberlain was in to discuss the letter he received from the Selectmen. Bryan asked if he'd like to go into nonpublic session. Chamberlain responded that he did not. Chamberlain handed out and read a letter he wrote to the Board of Selectmen as well as a list of concerns that were expressed in the letter and minutes of the 3/17/09 meeting\*.

The group reviewed each item of concern that was listed. The following suggestions/comments were made:

1. It was agreed that there are a lot of people in Town who are new to the Town Meeting experience and are unfamiliar with how it works and perhaps this has resulted in the unpleasant tone the meeting has taken on during the last 2 years.
2. They also agreed that in the future if the situation presents itself that a ballot vote has been taken and the results are available, Chamberlain will complete discussion and voting on the warrant article on the floor before reading the results of the ballot vote.
3. Chamberlain addressed the complaint that the swearing-in of elected individuals was put aside until the meeting was adjourned. Chamberlain explained that this was in accordance with RSA 42:3. Lynn Austin, who was present in the audience, said she has read the RSA and there are a couple of other options available.
4. In regards to the lack of acknowledgement of outgoing board and committee members, Chamberlain explained that this is usually done by the Selectmen.
5. John Kennedy, resident in attendance, mentioned that he thought there was confusion regarding reconsidering an article because nobody new about the rules and regulations of this.
6. Duane Demeritt commented that he liked the suggestion of colored count cards for "yeah" and "nay" votes. Others in attendance agreed.
7. It was recommended that a clipboard with paper be available for written amendments to warrant articles.

The discussion ended with the Board and Chamberlain agreeing that he should develop written rules of order for Town meeting that will be published in the Brentwood Newsletter shortly before Town meeting and available at the meeting. Chamberlain volunteered to develop these rules and bring them to the Selectmen for their review.

Bryan handed out copies of the approved minutes of the School Board meeting held on 2/2/09. The minutes indicate that the Selectmen did not budget for the DARE program. The Board would like a letter written to the School Board making them aware that was not the case.

Byrne told the Board that she had forwarded the email from the Attorney General's Office requesting a job description be written by the Town Clerk/Tax Collector to Phyllis Thompson. The Selectmen agreed that they would like to receive a copy of the job description by next Tuesday for their review.

Wayne Robinson, Road Agent, was in to mention that they've decided that rather than chip all the ice storm debris collected during the town-wide pick up, they will have John Cupp use his grapple to load the debris into the Town dump trucks and they will haul it to

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Brentwood Distribution on Pine Road. At this time, Robinson is unsure if the State will be picking up the debris on North Rd and Middle Rd. He will check with them.

Duane Demeritt asked about the island at the intersection of Crawley Falls Road and South Road. Demeritt was told that his supervisor, Robinson, has been given all the relevant information on that matter.

A Press Release has been issued by the Police Department regarding a number of thefts from vehicles on Prescott and Middle Roads. Lynn Austin said it would be nice to have an RSS Alert available through the town website. Julie will look into it.

At 8:25p.m. Waldron made a motion, seconded by Artimovich, to adjourn. All voted in favor.

Respectfully submitted,

Julie Stevens

Minutes amended and approved 4/14/09.

\*Attached are Richard Chamberlain's handouts as well as his summary of this meeting.

April 3, 2009

Town of Brentwood Selectmen:  
David Menter, Jeffrey Bryan, Andrew Artimovich,  
George Waldron, Jane Byrne

Friends...

I was surprised, perhaps 'stunned' is the better word, to read your letter of March 31st and the attached minutes of your March 17th Board Meeting. I had not heard of these concerns from JoAnn , nor anyone else.

In all of my local, national, and international organizational and consulting volunteer and paid work I have never received such a letter.

I'm glad...eager...to meet with you at our earliest convenience. I will talk with Julie today about a date.

And I'm glad to respond to each of the comments/concerns listed in your letter and in the minutes.

I do believe, however, that the expressed concerns beg the larger issues of changes in Brentwood....and I hope that there might be available time to discuss those issues. Yes, as you indicate, 'the Town has changed' , and together we might continue to identify those changes and see if we can develop a 'game plan.'...not just for next year's Town Meeting but for the future 'character' of our Town of Brentwood.

Sincerely,

Richard K. Chamberlain

April 7, 2009

Town of Brentwood Selectmen:

Chair: Jeffrey Bryan

Members: David Menter, Andrew Artimovich,  
George Waldron, Jane Byrne

Thank you...for the opportunity to quickly respond to the strong concerns about my leadership and the detailed concerns about the 'tone' of this year's Town Meeting as expressed in your March 31 letter that grew out of your March 17th meeting and minutes.

A year ago I had a serious concern about the tone of the 2008 meeting. In conducting 29 years of Brentwood Town Meetings I had never experienced that semi mob mentality ( rumblings, shouting, mainly from those standing in the back of the room ) near the conclusion of our meeting...and shortly after I had some good correspondence and phone calls about my concerns with Selectman David Menter , State Representative Don Petterson, School Moderator Doug Cowie, and Asst. Fire Chief Gary Raymond. I felt support for my leadership at a difficult time, growing awareness of and shared commiseration about the tone of the meeting, awareness of Town changes( not unlike many NH towns ) , and if you wished I would be glad to share that correspondence with you.

It has been nearly a month now since this year's Town Meeting and except for your letter and Jo Ann's comments recorded in your minutes , NO ONE has spoken to me about Jo Ann's comments or their own concerns. I used to get a wonderful plus and minus telephone critique from Fran Thorsell after each Town Meeting...but nothing like that in recent years.

And I want you to know that from the receipt of your letter until this meeting I have not spoken with anyone in Town . I thought about sharing the minutes and looking for objective reactions from those of you with whom I have had years of experience : State Representative Don Petterson, Phyllis Thompson, Wayne St. Hillaire, Linda Rousseau, Gary Raymond, Marilyn Morehead , fellow Exeter and Cooperative School Moderator Charlie Tucker, the Secretary of State's Office ...but felt that it was important to first have this discussion with you.

So, I would hope that we might address each of the concerns mentioned ...and then not only look for understanding and resolution ...but also , as you have indicated 'the Town has changed' and I hope that together we might identify those changes and see if we can develop a 'game plan' ( that might take a few meetings ) ...not just for next year's Town Meeting but for the future 'character' of our Town of Brentwood.

Here are the concerns that were expressed in your letter and minutes :

1. The Town of Brentwood...and the 'tone' of Town Meetings have changed.
2. There is a need to 'reeducate' residents .
3. We need to nurture a volunteer environment and that was not done.
4. The Moderator's 'Rules of Order' should be published.
5. An article should be included in next month's Brentwood Newsletter recognizing outgoing people who have been in leadership positions.
6. Specifically, regarding my role as Moderator:

\* The Moderator ... ( 'in his performance' )

- did not preserve order

- inappropriately cut off discussion

- allowed his bias to show

--should not have used verbal responses for the Warrant Article 'counts'.....should have had hand counts and used voter cards.

- 'appalling'- not acknowledging outgoing board and committee

- put aside swearing -in of those elected till the meeting was adjourned

7. And there were additional meeting comments that:

\* It might be helpful to have an Assistant Moderator

\* There is a need for an assessment and evaluation of the Moderator's behavior ( perhaps a hired consultant

or someone from the Secretary of State's Office )

\* 'Some others were in agreement'( with some of the comments made )

\* A phone call to one of the Selectmen said that the meeting was 'poorly run' and 'should be declared null and void'.

I believe that a detailed discussion of these concerns can be of benefit to us and the Town of Brentwood.

Dick Chamberlain

Moderator, Town of Brentwood

## SUMMARY BY DICK CHAMBERLAIN OF MEETING WITH BRENTWOOD SELECTMEN

April 7, 2009

7:30-8:00 PM Selectmen's Meeting

All 5 Selectmen were present as well as a dozen of the Townspeople.

I was asked if I wanted to be in closed Executive Session and I said 'no'. I preferred 'public'.

Jeff, as the new Chair, led the discussion.

The meeting started, continued, and ended very low key.

Jeff announced our reason for being there and asked if I would like to make a comment. I passed out what I had written and then read it aloud for the benefit of the Townspeople present.

George said, 'One problem is that you were and are a civilized man in what was an uncivilized setting.'

Jane said, 'Dick this is your show...you are the Moderator. We are here to help in any way that we can.'

A comment that many Selectmen believed was that things partially unraveled when I announced the results of the Fire Station Bond Issue Vote in the middle of our discussing another Warrant Article. Generally I would never do that, I would wait till the conclusion of the Warrant currently on the floor, but I must have done it because numerous people remembered it that way. And the feeling was that people then became so focused on the results of the Fire Station results (it lost, we now learn, by one vote!) that they were distracted from the Warrant Article (# 8) at hand.

Another concern was that although we started off with my strong talk on the need for civility, after last year's occasional un-civil meeting, that later in this year's 5 hour meeting there was a sloppiness at times when people spoke from where they were sitting instead of coming to the central mike. I agree.

I suggested that I would be glad to write The Moderator's Rules of Order and ask to have them published in the Brentwood Newsletter before the next Town Meeting...and also to give them out at the door at the Town Meeting. The Board were happy to hear this..

The Board asked if I could be helped by an Asst.. Moderator. I asked 'what would that person do?' They said that he/she would let me know if things seemed to be getting out of order when I was in process of focusing on other matters such as moving the discussion along around Warrant Articles. (If that would appease people...sure...but generally I feel that I have a good overview of what is happening. But I can miss things, especially when discussion gets heated. Phyllis, Town Clerk, sitting next to me often does this for me but she really has her hands full.)

It was a very genial meeting.

An audience member said that they had researched when people could be sworn in and there were alternatives, contrary to what the Selectmen and I had earlier been told.

A strong feeling that many have moved into Town who have never experienced the Town Meeting style and that is where additional education needs to take place.

Butch Whitehouse, in the audience, was complimentary of my leadership and continued to be strong on Senate Bill 2 that does away with current style Town Meetings



2-3 of the 5 Selectmen said that what was written in the March 17th minutes were not their words.. 'appalling', 'bias', etc. and that they did not 'own' them ( my word... 'own'. )

Dick Chamberlain